



Jay Chesavage
3833 Middlefield Rd.
Palo Alto CA 94303

COPY MAILED

MAR 17 2006

OFFICE OF PETITIONS

In re Application of
Arnold et al.
Application No. 10/733,883
Filed: December 15, 2003
Title: Power Combiner

:
:
:
:
:

ON PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed August 26, 2005. In the alternative, petitioner on January 9, 2006 filed a petition to revive under 37 CFR 1.137(b).

The petition to withdraw the holding of abandonment is **GRANTED**.

The petition to revive under 37 CFR 1.137(b) is **Dismissed as Moot**.

This above-identified application became abandoned for failure to timely file a response to the non-final Office Action which was mailed on January 27, 2005. The non-final Office Action set a three (3) month shortened statutory period for reply. No extensions of time pursuant to 37 CFR 1.136(a) were obtained. Accordingly, this application was held abandoned on April 28, 2005. A Notice of Abandonment was mailed on August 15, 2005.

In the present petition, petitioner contends a reply pursuant to 37 CFR 1.111 to the non-final Office Action was submitted on April 26, 2005. The amendment included a certificate of mailing statement pursuant to 37 CFR 1.8. To support petitioner's contention, petitioner has provided a copy of the reply which contains a certificate of mailing date of April 26, 2005.

The response submitted April 26, 2005 has not been located in the Office, however, in view of the evidence submitted, the response is deemed timely.

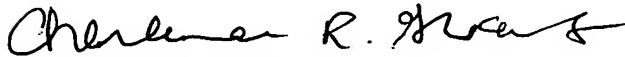
The Notice of Abandonment is hereby **vacated** and the holding of abandonment is **withdrawn**.

Petitioner is entitled to a refund of the previously submitted petition fee of \$750.00. Petitioner may request a refund by writing to the Finance Office, Refund Section. A

copy of this decision to should accompany any request for refund.

The application is being forwarded to the Technology Center 2800 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with the first name "Charlema" being more prominent and the last name "Grant" following in a similar style.

Charlema R. Grant
Petitions Attorney
Office of Petitions